

### *How can I file a complaint?*

To file a complaint call the Rhode Island Department of Health at 401-222-3293 or go to <http://www.health.ri.gov/disease/tobacco>.

### *How can I support my employees who want to quit smoking?*

If you smoke and want to quit, or to support your employees or patrons who want to quit, call 1-800-Try-To-Stop (1-800-879-8678) or visit <http://www.trytostop.org>. For Spanish quit smoking services call ¡Ya No Fumo! at 401-728-5920. Free patches, free gum, free counseling.

### *How can I find more information?*

For more information call the Rhode Island Department of Health at 401-222-3293 or go to <http://www.health.ri.gov/disease/tobacco>.



Rhode Island Department of Health  
Division of Disease Prevention & Control  
Tobacco Control Program

### *Are there any workplaces where smoking is allowed?*

- ◆ Private residences, except when used as a licensed child care, adult day care or health care facility;
- ◆ Hotel and motel rooms designated as smoking rooms not to exceed more than fifty percent (50%) of rooms rented;
- ◆ Retail tobacco stores;
- ◆ Smoking bars — primarily devoted to selling tobacco products for consumption on the premises, as defined in the law, provided that smoke from these places does not migrate into areas where smoking is prohibited;
- ◆ Private rooms and semi-private rooms or designated areas in assisted living residences and nursing facilities as allowed by the law;
- ◆ Designated, separately ventilated smoking areas in Newport Grand and Lincoln Park.

Until October 1, 2006, smoking will be allowed in Class C and D liquor licenses with ten (10) or fewer employees.

### *If my business is not listed above, does the law apply?*

If your type of business is not listed above, and you have employees, then you cannot allow smoking in your business.



## **Preparing for a Smokefree Rhode Island**

*Smokefree Public Place  
and Workplace Law*

**A Guide for  
Restaurants and Bars**

# Effective March 1, 2005, public places and workplaces across the state will be smokefree

## *What is the Smokefree Public Place and Workplace Law?*

The Smokefree Public Place and Workplace Law (the “law”) prohibits smoking in public places and workplaces to protect employees and the public from secondhand smoke. Rhode Island is the seventh state in the nation to pass a smokefree workplace law. Massachusetts, Connecticut, New York, Delaware, Maine and California are already smokefree.

## *What is secondhand smoke?*

Secondhand smoke is the combination of smoke exhaled by a smoker and the smoke from a burning cigarette. This combination is dangerous for both the smoker and the nonsmoker. It contains more than 4,000 chemicals, including 43 known to cause cancer. Secondhand smoke kills and makes many people sick, especially children.

## *Why do we need to get smoke out of restaurants and bars?*

To protect workers from the harmful effects of secondhand smoke. In 1993, the Environmental Protection Agency classified secondhand smoke as a class A carcinogen, like asbestos and radon. There is no safe level of exposure to secondhand smoke.

- Waitresses have higher rates of lung cancer and heart disease than any other traditionally female occupation.
- One eight-hour shift in a smoky bar is the same as smoking 16 cigarettes.
- Two hours in the same bar is the same as smoking four cigarettes.

## *What does the law require me to do?*

Beginning March 1, 2005:

- You may not allow smoking in your establishment by employees or patrons in any indoor spaces.
- Signs must be posted at every entrance.
- You must notify present and future employees that your establishment is smokefree.

## *Do I need to post signs?*

Yes. A sign must be clearly posted at every entrance to public places and workplaces where smoking is prohibited. Failure to post signs could result in a civil penalty of up to \$1,000. These signs can be downloaded from <http://www.health.ri.gov/disease/tobacco>, or call 401-222-3293.

## *Am I allowed to provide a smoking break room for my employees?*

No. Smoking is not allowed in any indoor workplace. Should an employer provide an outdoor area, it must physically be separated from the enclosed workplace so as to prevent the migration of smoke into the workplace.

The Department of Health recommends that any outdoor smoking area be at least fifty (50) feet from the building.

## *What if my restaurant has outdoor tables?*

Outdoor areas are not regulated by this law, however, any outdoor area where smoking is allowed must be physically separated from the enclosed establishment so as to prevent the migration of smoke into the workplace.

## *Can I smoke in my private office?*

No.

## *What do I do about a customer who refuses to comply?*

You or your staff must remind them of the law, and should politely explain that they must step outside to smoke. You should not call the police, unless the violator is belligerent or threatening physical harm. The purpose of the law is to protect others from the harmful effects of secondhand smoke.

## *What if I choose to allow customers or employees to smoke?*

As an employer, if you choose to allow smoking in your establishment, you can be subject to a civil penalty of up to \$1,000 per violation.

## *How will the law be enforced?*

The owner, manager, operator or any person having control of an indoor area open to the public, food service establishment, bar, or place of employment under this law will post appropriate signage and will inform individuals who are smoking that they are in violation of the law.

Enforcement of the law also will be achieved by a complaint system. Employees and the public may report violations of the law to the Rhode Island Department of Health at 401-222-3293, or go to <http://www.health.ri.gov/disease/tobacco>.